IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.68160-M of 2006

DATE OF DECISION: NOVEMBER 27, 2006

Sonu alias Sajjid

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.G.B.S.Dhillon, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

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Petitioner Sonu alias Sajjid has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 249 dated 31.8.2006 registered under Sections 306/341/323/34 IPC at Police Station Payal, Police District Khanna.

I have heard the counsel for the parties and gone through the contents of the FIR as well as the order dated 25.10.2006 passed by the Addl.Sessions Judge, Ludhiana.

The aforesaid FIR has been registered on the statement of Sarabjit Kaur, mother of the deceased, in which she alleged that on 29.8.2006 in the evening, her son Jaskaranjit Singh had told her that he has been given beatings by Rupinder Singh, Harinder Singh alias Mindi sons of Jaspal Singh, Rinku son of Sadiq Mohammad and the petitioner, on account that he could not return the video camera to accused Harinder Singh alias Mindi. It has been further stated that her son told her that when he gave a gold chain to accused Harinder Singh alias Mindi, only then the beating was stopped. It has been also stated that subsequently her son went away from the house by saying that he had been humiliated and now he would commit suicide. By saying so, he went away and subsequently his dead body was recovered from the canal and as per the prosecution, the deceased died due to drowning.

Counsel for the petitioner contends that in the post-mortem report, no injury on the body of the deceased was noticed. Counsel further contends that the petitioner, who is in custody since 3.9.2006, has been falsely implicated in this case, and the trial is not likely to be concluded in the near future.

Counsel for the respondent-State, on instructions from ASI Sanjay Kumar, could not dispute the fact that there was no injury on the body of the deceased. Counsel further contends that after completion of the investigation, the challan has been filed. It is also not the case of the respondent-State that in case the bail is granted, the petitioner will influence any of the prosecution witnesses.

Keeping in view the aforesaid facts, I deem it appropriate to grant regular bail to the petitioner, and he is accordingly ordered to be released on bail to the satisfaction of the trial Court.

November 27, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE